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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

LOS ANGELES PRESS CLUB,
STATUS COUP,

PLAINTIFFS,

v.

CITY OF LOS ANGELES, a municipal
entity, JIM MCDONNELL, LAPD
CHIEF, sued in his official capacity;

DEFENDANTS.

Case No. 2:25-CV-05423-HDV-E

Hon. Hernan D. Vera

**DECLARATION OF MICHAEL
NIGRO**

1 I, MICHAEL NIGRO, declare as follows:

2 1. I make this declaration based on my own personal knowledge and could testify
3 competently to the facts stated herein.

4 2. I am a professional freelance photojournalist and have worked with and had
5 photographs and video I have obtained published by SIPA USA, Getty Video, AP Wire, among
6 others, for more than thirteen years. I have been a working journalist for nearly 15 years and have
7 received official credentials including press passes issued by the City of New York and National
8 Press Photographers Association. I work domestically and internationally and have received
9 numerous awards, including First Place, Best Multimedia Package (2024) from the LA Press Club
10 and the National Headliner Award (2024), both for my documentary, *Fragments of Ukraine*.

11 3. I was reporting on the protests in Los Angeles on June 9, 2025, on a freelance basis
12 and filing still images with SIPA USA and video recordings with Getty Images as a contributor.
13 Multiple images that I filed with SIPA were picked up and published by national and international
14 outlets including Mother Jones, The Sun, U.K., and Der Spiegel, Germany. True and correct
15 copies of my photos of the protests, as published by these outlets, are attached hereto as **Exhibit**
16 **012, 014, and 015**.

17 4. On that day, while there was tension between law enforcement and protesters, and
18 protesters vocalized their anger, I did not see protesters pose a violent threat to any officers. The
19 most serious physical engagement with the officers that I saw was that occasionally a protester
20 threw an empty, disposable plastic water bottle at an officer. I also saw a few individuals applying
21 graffiti along the protest route, but they did not seem to pose any threat of harm to anyone.

22 5. At around 5:43 p.m., I stood on the Temple Street Bridge, a pedestrian overpass
23 over East Temple Street between Los Angeles Street and N. Main Street in downtown Los
24 Angeles. At the time that I ascended to the pedestrian bridge, there were very few, if any,
25 protesters and no law enforcement on it. This specific location was important for these shots as it
26 provided a high and wide perspective of the footprint of the protest.

27 6. Where I stood on this bridge, I could see protesters on the street level below in all
28 directions. Most of the large crowd gathered in front of the Edward R. Roybal Federal Building.

1 The protesters at street level were chanting and singing and dancing. There were LAPD officers in
2 dark-blue uniforms standing in a grassy area of the Los Angeles Mall, northwest of the bridge
3 where I stood and across Los Angeles Street from the Federal Building. There were also law
4 enforcement officers interacting with the large crowd at street level in front of the Federal
5 Building. The officers at street level were LAPD officers in dark blue uniforms and/or riot gear,
6 and officers in camouflage uniforms with shields that read "California National Guard." I saw
7 LAPD and National Guard officers carrying weapons with signature orange tips and orange stocks
8 that deploy LLMs.

9 7. I was taking photographs in the direction of the Edward R. Roybal Federal
10 Building when I heard less-lethal munitions ("LLMs") hit a pole near my head three times,
11 making three distinctive and audible "ding" sounds. Based on the distinctive sound of the impact,
12 with which I am familiar from covering other protests and conflict zones, I concluded that the
13 impacts were from LLMs.

14 8. In the moments before the shooting, I did not see any violence or destructive acts
15 by protesters in the area or any other justification for use of the LLMs. I do not know what the
16 officers were responding to when they deployed these LLMs.

17 9. My location on the bridge was elevated and separated from the protest activity
18 occurring on the street level at the intersection just in front of me. Given my position high up over
19 the crowd and the few, if any, people passing over the bridge while I stood in that position, I do
20 not see how an officer could hit a pole near me with LLMs unless the officer was aiming above
21 the crowd and directly at me. I also do not see how the LLM could have hit me if officers were
22 taking appropriate steps to minimize impact on press, especially those at a distance from the crowd
23 like me.

24 10. Later that day, at around 7:28 p.m. on June 9, 2025, in the Little Tokyo Arts district
25 of Los Angeles, across from the Savoy Condominiums building at 100 S Alameda Street in Los
26 Angeles, and while still covering the protests, I was shot in the head with a LLM by LAPD. I do
27 not know which officer shot me, but I stood less than 10 feet from a line of officers all in dark blue
28 uniforms and riot gear, as depicted in the video, many of whom carried devices that deployed

1 LLMs. Several of the officers in this line had patches on their left arm that read “Los Angeles
2 Metro Police,” which is a unit of LAPD.

3 11. I recorded and have published a video of the protest activity and LAPD response
4 that includes the minutes before and shortly after the shooting. The shooting happened between
5 timestamps 2:50–2:55 of the video, during which a “ping” of impact is audible. A true and correct
6 copy of this video is **Exhibit 017**.

7 12. At or about timestamp 1:51 of the video, officers yelled “move” at the crowd in
8 unison and began shoving and deploying LLMs at the crowd. I did not see any protesters engage
9 in violence toward the LAPD officers before this occurred, and I do not know what the officers
10 were responding to.

11 13. Throughout the day, the area was very noisy. I heard that law enforcement play
12 various announcements on long-range acoustic devices (“LRADs”), but it was very difficult to
13 hear the precise content of the announcements. I am familiar with LRADs from my extensive
14 coverage of protests and conflict zones and particularly familiar with those used by the New York
15 Police Department. The LRADs law enforcement used at this protest sounded weaker, projecting
16 less clear audio over a shorter distance, than the LRADs that the NYPD uses. I did discern the
17 word “munitions” a couple of times during the announcements over the course of five hours, but I
18 do not recall hearing it immediately before either of these incidents occurred. The lines of police,
19 when they would move forward also repeated, in unison, the phrases, “clear the area” or “move.”

20 14. Because of my extensive experience as a photojournalist covering protests and
21 conflict zones that sometimes include risk of injury, I make it a practice to wear protective gear
22 including a military-grade, combat helmet, which has patches that say “PRESS” in large white
23 capital letters against a black background on both the left and right sides. While I immediately felt
24 the impact of the LLM on my head, due to the helmet I was wearing, I did not immediately
25 audibly react to the impact, as shown in the video. However, I immediately ducked down,
26
27
28

1 removed myself from the line of fire, and walked backwards at least 10 feet from where I was
2 shot.

3 15. A colleague who was present confirmed that my helmet had the noticeable white-
4 streak impact mark of a LLM such as a sting ball or pepper ball and took a photo of me. A true
5 and correct copy of this photo, which accurately depicts my helmet within minutes after the
6 impact, is attached hereto as **Exhibit 016**.

7 16. When I was shot in the head and when munitions were fired at me earlier that day, I
8 was clearly identifiable as a member of the press for the following reasons, among others:

9
10
11 a. In addition to my helmet, which says “PRESS” on the right and left sides, I also
12 wore a vest that stated “PRESS” in large white capital letters against a black
13 background both on my chest and back. The photograph in Exhibit 012
14 accurately depicts my attire at the time of both incidents.

15 b. I also wore on a lanyard around my neck a press pass issued by the City of New
16 York, which reads “PRESS” in large capital letters and on both sides and the
17 bottom of the pass and has a photo of me.

18 c. I also visibly and openly carried two large, professional DSLR cameras, as well
19 as a smaller video camera mounted on the body of one of my DSLR cameras.
20 My professional equipment also included a monopod attached to one of the
21 cameras that allowed me to raise the camera high to get a different perspective.

22 17. When I am reporting on protests, I practice excellent situational awareness. I
23 understand my environment, who is around me, and my exits. I ensure that I do not make any
24 erratic movements and that my press-identification badge and patches remain visible. If I feel I
25 may be in danger, I vocalize, loudly, that “I am press.” I used these practices at the protest on June
26 9, 2025.

27 18. Before I travelled to Los Angeles, I familiarized myself with California Penal Code
28 Section 409.7, which was supposed to protect the press as we lawfully engage in newsgathering,

1 so I did not disperse when I heard law enforcement orders to “clear the area” or “move.”
2 Journalists must be able to do our work without being threatened, shot at, arrested, kettled,
3 detained, or intentionally being “chilled” into stopping our reporting. Protest environments often
4 involve conflicting accounts, and the presence of the press, even after dispersal orders, is
5 necessary to provide oversight and an independent record of what occurs, which in turn ensures
6 that law enforcement actions are documented, open to public scrutiny, and subject to democratic
7 accountability.

8 19. Before LAPD officers began firing and shot me with a LLM, I did not see or hear
9 LAPD officers, or other law enforcement officers, take measures of any kind to minimize the
10 likelihood that I, fellow journalists, or other innocent bystanders would be shot by LLMs. In fact, I
11 was away from practically anyone else and elevated from the crowd when I heard the first LLMs
12 strike the pole near my head. Before I was shot in the head, I was clearly identified, standing near
13 other identified members of the press, and only a few feet away from the line of officers, so I do
14 not see how I could have been shot in the head if LAPD took measures to mitigate harm to the
15 press from the LLMs.

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct.

18 Executed this 27th day of June, 2025 at New York City, New York.

19 
20 MICHAEL NIGRO